

DETAILED ACTION

1. This Action is in response to the Board Decision for Application Number 10/673812 received on 12/29/2011.
2. The prosecution for this case has been transferred to another Examiner. All corresponding communications should be directed to Examiner's contact information, provided below.
3. In response to the Board Decision, noted above, the prior art rejection has been withdrawn. After further consideration, it appears that the claims include indefinite issues, as explained below.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

4. Claims 1-7 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.
5. It is unclear whether claims 1-7 invoke 35 U.S.C. 112, sixth paragraph, because it appears that Applicant is attempting to modify the "means for" limitations with structural terms. For example, claim 1 recites the limitation, "means in the terminal request processor responsive to the reception notification, for". It appears that Applicant is attempting to modify "means for" with structure by reciting "in the terminal

request processor". The following limitation recites "means in the HTTP server program for", which is unclear as to what Applicant intends. It appears that Applicant is attempting to recite implied structure (i.e. "means") within software, which is unclear to Examiner.

If applicant wishes to have the claim limitation treated under 35 U.S.C. 112, sixth paragraph, applicant may:

(a) Amend the claims to include the phrase "means for" or "step for". The phrase "means for" or "step for" must be modified by functional language, and the phrase or term must **not** be modified by sufficient structure, material, or acts for performing the claimed function; or

(b) Present a sufficient showing that the claim limitation is written as a function to be performed and the claim does **not** recite sufficient structure, material, or acts for performing the claimed function to preclude application of 35 U.S.C. 112, sixth paragraph. For more information, see MPEP § 2181.

6. Examiner notes that the same issue as explained above with respect to claim 1 also exists throughout claims 2-7. Appropriate correction is required.

Allowable Subject Matter

7. Claims 8-9 are allowed in view of the Board Decision, filed 12/29/2011.

Conclusion

Examiner's Note:

In the case of amending the claimed invention, Applicant is respectfully requested to indicate the portion(s) of the specification which dictate(s) the structure relied on for proper interpretation and also to verify and ascertain the metes and bounds of the claimed invention.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to J. Bret Dennison whose telephone number is (571) 272-3910. The examiner can normally be reached on M-F 8:30am-5pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tonia Dollinger can be reached on (571) 272-4170. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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